

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA THOMAS NITKIN,

Plaintiff,

v.

D. RADU,

Defendant.

Case No. 2:23-cv-01837-TLN-JDP

**ORDER**

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 12, 2023, the magistrate judge filed findings and recommendations herein which were served on Plaintiff, and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. The time to file objections has passed, and Plaintiff has not filed objections.

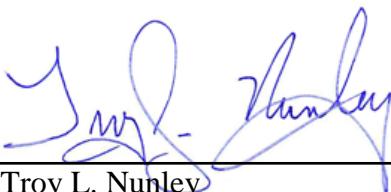
The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed December 12, 2023 (ECF No. 15) are  
3 ADOPTED IN FULL;  
4 2. Plaintiff's request for injunction (ECF No. 14) is DENIED without prejudice; and  
5 3. This matter is referred back to the assigned magistrate judge for all further pretrial  
6 proceedings.

7 Date: February 2, 2024

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Troy L. Nunley  
United States District Judge

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